

**Notice of Allowability****Application No.**

09/940,801

**Examiner**

DUC Q. DINH

**Applicant(s)**

YAMAGUCHI ET AL.

**Art Unit**

2629

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview with Jesse Sukman on 05/04/09.
2. ☒ The allowed claim(s) is/are 1-3,5,7-10,12-19 and 21-29.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 08/29/01,06/30/04,03/26/08
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/Duc Q Dinh/  
Primary Examiner, Art Unit 2629



### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jesse Sukman on May 04, 2009.

The application has been amended as follows:

**Cancel claims 4 and 6.**

**Claim 1,**

Line 7:

After "the back substrate," **add**: "the two kinds of particles respectively having recursive reflective and black particles;"

Line 10:

After "second side," **add**: "the filter containing dispersed colored fine particles,"

**Claim 16,**

Line 8:

After "image display device" **add**: "the filter containing dispersed colored fine particles;"

Lines 12

After "the back substrate," **add** "the two kinds of particles respectively having recursive reflective and black particles;"

**Claim 17,**

Line 5:

After "the back substrate," **add:** "the two kinds of particles respectively having recursive reflective and black particles,"

Line 7:

After "second side" add: "the filter contains dispersed colored fine particles,"

Claim 18,

Line 8:

After "the back substrate," **add:** "the two kinds of particles respectively having recursive reflective and black particles;"

Line 10:

After "a specific wavelength" add: "the filter contains dispersed colored fine particles,"

Claim 19 amended as follows:

19. (New) A reflective image display medium comprising:

a display substrate;

a back substrate;

a plurality of first particles having recursive reflective and a black particles, which are sealed between the display substrate and the back substrate, configured to reflect light and to move to a display substrate side due to an electric field; and

a plurality of second particles seals between the display substrate and the back substrate, the second particles having substantially black color and configured to move

to the back substrate side as the first particles move to the surface of the display substrate side: and

a filter, containing dispersed colored fine particles, which is disposed in the display substrate side, having a chromatic region and an achromatic region, the achromatic region being configured to transmit a reflected light reflected by the first particles to an outside of the reflective image display medium. 20. (New) The reflective image display medium according to claim 19, further comprising a plurality of second particles sealed between the display substrate and the back substrate, the second particles having substantially black color and configured to move to a back substrate side as the first particles move to the surface of the display substrate side.

***Reason for Allowance***

2. Applicant's arguments (see pages 1-4 of the Remarks) filed on April 27, 2009, with respect to claims 1-3, 5, 7-10, 12-19 and 21-29 have been fully considered and are persuasive. The Final Rejection dated January 26, 2009 has been withdrawn.
3. The following is an examiner's statement of reasons for allowance:  
  
Claims 1-3, 5, 7-10, 12-19 and 21-29 are allowable for the reasons argued by Applicants in the Remarks filed on April 27, 2009
4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUC Q. DINH whose telephone number is (571)272-7686. The examiner can normally be reached on Mon-Fri from 8:00.AM-4:00.PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AMR A. AWAD can be reached on (571)272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Duc Q Dinh/

Primary Examiner, Art Unit 2629